

REMARKS

Claims 1-10 and 12-21 and 23 are pending in the current application. Claims 1, 7, 8, 9 and 23 are independent claims. Claim 22 has been cancelled. In view of the above amendments and following remarks, favorable reconsideration and allowance of the present application is respectfully requested.

Applicants note that page 2 of the Advisory Action mailed on January 24, 2008 states that "Applicants' amendment filed 12/28/2007 has been fully considered; however, the amendment has not been entered given that it introduces new issues/new matter and new claims (22-23) that would require further consideration and/or search." Thus, with respect to the status of the claims, Applicants respectfully request that the Examiner consider the following amendments and remarks, after entry and consideration of the amendments submitted in the After-Final Amendment filed on December 28, 2007.

I. CLAIM AMENDMENTS

By the present Amendment, Applicants submit that claims 1 and 23 have been amended. Support for amended claim 1 may be found at least on page 41 of the Specification, as originally-filed. Support for amended claim 23 may be found at least in Examples 1-13 of the originally-filed Specification. Thus, Applicants submit that the claim amendments do not introduce new matter.

II. RESPONSE TO ADVISORY ACTION

The following comments are intended to address points (A), (B) and (C) identified in the Advisory Action mailed on January 24, 2008.

Point (A):

Applicants maintain that Example 5 and Comparative Example 7 were formulated such that both examples i) are derived from the water absorbent resin (A1) obtained in Referential Example 6, and ii) have a similar centrifuge retention capacity (CRC) of 28.2 g/g and 28.4 g/g, respectively. Similarly, in an comparison of Example 6 and Comparative Example 8, Applicants note that both examples i) are derived from the water absorbent resin (A1) obtained in Referential Example 6, and ii) have an identical centrifuge retention capacity (CRC) of 28.0 g/g.

Furthermore, it is possible to compare such parameters as saline flow conductivity (SFC) in a resin wherein the multivalent metal component (and accordingly, the multivalent metal component extraction rate) is increased (*e.g.*, as in Example 6) to a resin wherein the multivalent metal component has not been increased (*e.g.*, as in Comparative Example 8).

Accordingly, Applicants maintain that Comparative Example 8 includes a similar composition as Example 3 of Mertens. Moreover, the extraction rate (M) of Comparative Example 8 is 2.9 wt %, lower than the “10.0 wt % or more” as recited in independent claim 1.

Furthermore, the art cited by the Examiner fails to disclose, or even acknowledge, a relationship between the methods disclosed in the present application and the AAP and SFC properties observed by specifying an extraction rate of the multivalent metal compound, as taught by example embodiments.

As such, Applicants maintain that Mertens fails to teach, or suggest, that “an extraction rate of the multivalent metal component around a surface of said particulate water absorbent resin is 10.0 wt % or more and less than 70 wt %” as recited in amended independent claim 1.

Point (B):

Referring to Example 1 of Mertens, the Advisory Action states “[f]ollowing drying and screening to a particle size of 150-850 mm, a solution containing aluminum sulfate 14-hydrate i.e. multivalent metal component is added.” Advisory Action, p. 3. Thus, the Examiner seems to assert that the multivalent metal component is added to the water absorbent resin after the surface of the water absorbent resin has been cross-linked by a surface cross-linking agent.

However, Mertans teaches that “[o]nce the secondary crosslinker solution has been mixed with the polymer particles, the secondary crosslinking reaction preferably is performed at temperatures ranging from 150°C. to 300°C., preferably from >150°C. to 250°C., and more preferably from 160°C. to 210°C.” Mertans, col. 7, ll. 41-45. Thus, Mertans teaches that secondary (or surface) crosslinking occurs upon heating to temperatures in a range of 150°C to 300°C. Applicants note that, in Example 1 of Mertans, the aluminum sulfate 14-hydrate is added prior to heating the mixture to 175°C for 60 minutes.

Thus, Applicants maintain that the multivalent metal compound in Mertans is added with the surface cross-linking agent before surface crosslinking, not after the surface of the water absorbent resin has been cross-linked by a surface cross-linking agent, as similarly recited in independent claim 7 (independent claim 7 recites “a particulate water absorbent resin (A) with a cross-linked surface”).

As such, Applicants maintain that Mertens fails to teach, or suggest, a method for producing a water absorbent resin composition including “adding a solution of an aqueous multivalent metal compound (B) to a particulate water absorbent resin (A) with a cross-linked surface” as recited in independent claim 7.

Point(C):

Applicants note that column 6, lines 61-65 of Mertans, referenced in the Office Action mailed on September 28, 2007, states:

The preferred solvent for the polyols as secondary crosslinking agents and for the salt component is water which is used in an amount of from 0.5 to 10 wt.-%, preferably from 0.75 to 5 wt.-%, and more preferably from 1.0 to 4 wt.-%, relative to the polymer product.

Emphasis Added.

As such, the above percentages relate to the amount of water, not the multivalent metal compound.

Applicants maintain that the concentration of aluminum (*i.e.*, the multivalent metal component) in Example 1 of Mertens is 1.13 wt %, similar to Comparative Example 1 of the instant Specification. Furthermore, the saturated concentration of the aluminum (*i.e.*, the multivalent metal component) in Example 1 of Mertens is 4.28%. Thus, the concentration of the aqueous multivalent metal component (*i.e.*, 1.13 wt%) to the saturated concentration of the aqueous multivalent metal component in Example 1 of Mertens (*i.e.*, 4.28) is 0.26 (*i.e.*, $1.13/4.28$), not “0.40 or more” as claimed in independent claim 7.

As such, Applicants submit that Mertens also fails to teach, or suggest, a method for producing a water absorbent resin composition including “a concentration of the aqueous multivalent metal compound (B) in the solution is 0.40 or more with respect to a saturated concentration of the aqueous multivalent metal compound (B) in the solution” as recited in independent claim 7.

CONCLUSION

Accordingly, in view of the above, reconsideration of the rejections and allowance of each of claims 1-10 and 12-21 and 23 in connection with the present application are earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicants hereby petition for a two (2) month extension of time for filing a reply to the outstanding Office Action and submit the required \$460.00 extension fee herewith.

Should there be any matters that need to be resolved in the present application; the Examiner is respectfully requested to contact the undersigned at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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